

**MINUTES  
VILLAGE OF LAKE PARK COUNCIL MEETING  
3801 LAKE PARK ROAD, LAKE PARK, NC  
REGULAR SESSION  
7 PM**

**SEPTEMBER 8, 2020**

**ATTENDING:** Mayor David Cleveland  
Mayor Pro Tem Pam Jack  
Council Members: Bruce Barton, James Record, Jeremy Russell and Joe Scaldara  
Village Administrator: Cheri Clark  
Finance Officer: Cheryl Bennett  
Attorney: Ken Swain

**CALL TO ORDER:** Mayor David Cleveland called the September 8, 2020 Regular Session Council meeting to order.

**INVOCATION:** Jeremy Russell gave the invocation.

**PLEDGE OF ALLEGIANCE:** Mayor David Cleveland led the Pledge of Allegiance.

**PUBLIC COMMENT:** Gary Jordan – 4006 Mother Teresa Drive – met with the Mayor and Bruce Barton on Thursday concerning streets and parking in the Village. Mr. Jordan would like to recommend that Council prune all the bushes at the Faith Church intersections due to limited lines of sight. He would also recommend that the Village increase the distance from the intersection to the first parking spots at the Creft and Conifer intersections with Faith Church Road from 30 feet to 50 feet.

Dennis O'Neil – 5613 Carol Avenue – thanked Council for looking into the tree and sidewalk issue at the corner of Courtland and Mother Teresa. Mr. O'Neil also wanted to know when Council was going to do another study on stormwater drainage in Lake Park. Mayor David Cleveland shared that he was not aware of an old stormwater study that had been done in Lake Park but the village currently addresses stormwater as the need arises. Recently areas of Creft and Mayhurst have been evaluated due to high water in some of the catch basins and the Lake Charles shore restoration project was completed due to erosion along the banks.

**APPROVAL OF MINUTES:** James Record made the motion to approve the August 11, 2020 Regular Session Council Minutes as presented. Joe Scaldara seconded the motion. Vote – Unanimous.

**CHANGES TO THE AGENDA:** Pam Jack made the motion to adopt the September 9, 2020 Council Meeting Agenda as presented. Bruce Barton seconded the motion. Vote – Unanimous.

**SECURITY REPORT:** Deputy Austin shared that there were 73 calls for service and 312 self-initiated calls in August. There were 9 alarm calls and 24 traffic stops. Deputy Austin encouraged everyone to keep their car doors locked.

Jeremy Russell suggested that Council consider purchasing Photo Id Security Badges for Council and staff - \$97.50. The badges could be worn whenever a Council member or staff is on official Village business either inside the Village or elsewhere. By consensus, Council decided not to purchase the badges.

**UNION COUNTY CORONAVIRUS RELIEF FUND INTERGOVERNMENTAL AND SUBRECIPIENT AGREEMENT:** Mayor David Cleveland shared that several weeks ago the Village applied for and was granted \$3,176 from Union County as part of the CARES program to offset costs incurred for COVID-19. The funds were requested for signage, disinfectants, disinfectant dispensers and foggers. Participation in this program requires that the Village enter into an interlocal and subrecipient agreement with Union County. James Record made a motion to enter into the agreement with Union County. Bruce Barton seconded the motion. Vote – Unanimous.

Attorney Ken Swain discussed the need to develop a Conflict of Interest Resolution that addresses the Federal Guidelines of procurement for recipients and subrecipients. Mr. Swain read the proposed resolution to Council. James Record made a motion to approve the resolution. Joe Scaldara seconded the motion. Vote – Unanimous.

**FINANCE OFFICER'S REPORT:** Cheryl Bennett shared that the Village has reached 131% of budget for daily pool. The Village spent \$37,770 in Stormwater Repairs. Cheryl Bennett moved \$3 from Tax Collection to Property Tax. Due to the increased cost of postage, the Village did not budget enough for Property Tax collection. Cheryl Bennett shared that the CARES funding is moving very quickly and has tight deadlines. Mrs. Bennett's recommendation would be for Council to approve the purchase of the budgeted items - \$2,750. James Record made the motion to approve up to \$2,800 to purchase the budgeted items. Bruce Barton seconded the motion. Vote – Unanimous.

	<u>Aug 20</u>	<u>Jul - Aug 20</u>	<u>Budget</u>	<u>% of Budget</u>
General Fund				
Income				
Property Taxes				
Ad valorem current year	37,054.38	37,054.38	595,657.00	6%
Utility ad valorem	0.00	0.00	6,563.00	0%
Motor vehicle tax	8,998.38	8,998.38	87,921.00	10%
Ad valorem prior years	0.00	7.70	500.00	2%
Penalties and interest	25.99	26.29	1,000.00	3%
	<u>46,078.75</u>			
Total Property Taxes	75	46,086.75	691,641.00	7%

<b>Other Taxes</b>				
	4,525.0			
Stormwater Fees- current year	0	4,525.00	62,137.00	7%
Stormwater fees - prior years	0.00	0.00	45.00	0%
	<u>4,525.0</u>			
<b>Total Other Taxes</b>	0	4,525.00	62,182.00	7%
<b>State Shared Revenues</b>				
Alcoholic Beverage Tax	0.00	0.00	15,900.00	0%
Sales and use tax	0.00	0.00	200,000.00	0%
Telecom. Sales Tax	0.00	0.00	1,280.00	0%
Elec. Sales Tax	0.00	0.00	93,435.00	0%
Video Prog. Sales Tax	0.00	0.00	18,970.00	0%
Piped Gas Sales Tax	0.00	0.00	11,921.00	0%
Solid Waste Disposal Tax	672.62	672.62	2,511.00	27%
	<u>672.62</u>			
<b>Total State Shared Revenues</b>	672.62	672.62	344,017.00	0%
<b>Parks &amp; Recreation Revenue</b>				
Program Fees-Fishing Licenses	54.00	235.00	1,500.00	16%
Facility Rentals	0.00	0.00	1,500.00	0%
	<u>2,937.0</u>			
Daily swim fees	0	7,837.00	6,000.00	131%
Season pass pool fees	0.00	685.00	25,000.00	3%
	<u>2,991.0</u>			
<b>Total Parks &amp; Recreation Revenue</b>	0	8,757.00	34,000.00	26%
<b>Other revenues</b>				
Zoning Permits	150.00	300.00	1,000.00	30%
Approp. Fund Balance	0.00	0.00	47,711.00	0%
Civil Penalties	0.00	50.00	300.00	17%
Investment revenue	82.93	2,092.95	4,000.00	52%
Miscellaneous	0.00	60.00	3,000.00	2%
	<u>232.93</u>			
<b>Total Other revenues</b>	54,500.	2,502.95	56,011.00	4%
	<u>30</u>			
<b>Total Income</b>		62,544.32	1,187,851.00	5%
<b>Expense</b>				
<b>General Government</b>				
<b>Other Expenditures</b>				
Contingency	0.00	0.00	9,060.00	0%
<b>Stormwater Expense</b>				
Advertising	0.00	0.00	100.00	0%
Dues and Permits	0.00	750.00	750.00	100%
Prof. Fees - Engineering	0.00	1,583.75	18,000.00	9%
	<u>37,770.</u>			
Repairs & Maint. Services	00	37,770.00	43,332.00	87%
	<u>37,770.</u>			
<b>Total Stormwater Expense</b>	00	40,103.75	62,182.00	64%
	<u>37,770.</u>			
<b>Total Other Expenditures</b>	00	40,103.75	71,242.00	56%
<b>Planning and Zoning</b>				
	1,166.6			
Zoning Admin. Services	6	2,333.32	14,000.00	17%



Consulting Fees	0.00	0.00	13,500.00	0%
Supplies	0.00	9.00	150.00	6%
Training	0.00	0.00	500.00	0%
	<u>1,166.6</u>			
<b>Total Planning and Zoning</b>	<b>6</b>	<b>2,342.32</b>	<b>28,150.00</b>	<b>8%</b>
<b>Gen. Govt. Personal Services</b>				
Adm Assistant	905.00	2,510.00	14,000.00	18%
	<u>6,139.1</u>			
Clerk/Tax Collector	6	12,278.32	73,670.00	17%
Council	0.00	0.00	12,806.00	0%
	<u>1,622.0</u>			
Finance Officer	0	3,244.00	19,464.00	17%
Mayor	0.00	0.00	5,253.00	0%
Payroll Expenses	752.21	1,557.97	10,648.00	15%
	<u>9,418.3</u>			
<b>Total Gen. Govt. Personal Services</b>	<b>7</b>	<b>19,590.29</b>	<b>135,841.00</b>	<b>14%</b>
<b>Professional Fees</b>				
Auditing Services	0.00	0.00	4,620.00	0%
Legal Services	0.00	0.00	18,000.00	0%
	<u>0.00</u>	<u>0.00</u>	<u>18,000.00</u>	<u>0%</u>
<b>Total Professional Fees</b>	<b>0.00</b>	<b>0.00</b>	<b>22,620.00</b>	<b>0%</b>
<b>Supplies and Materials</b>				
Office	220.59	301.51	7,500.00	4%
	<u>220.59</u>	<u>301.51</u>	<u>7,500.00</u>	<u>4%</u>
<b>Total Supplies and Materials</b>	<b>220.59</b>	<b>301.51</b>	<b>7,500.00</b>	<b>4%</b>
<b>Services</b>				
Communications/Newsletter	174.90	284.90	3,500.00	8%
Advertising	0.00	0.00	400.00	0%
Membership and dues	0.00	5,306.77	5,310.00	100%
Bank charges	75.23	211.57	680.00	31%
Insurance/bonds	0.00	9,761.98	9,730.00	100%
Miscellaneous oper. exp.	0.00	0.00	500.00	0%
Website/flyers	0.00	0.00	1,400.00	0%
Printing & Delivery Newsletter	0.00	0.00	0.00	0%
Postage	0.00	13.90	700.00	2%
Property Tax	322.13	322.13	323.00	100%
Tax collection	274.15	274.15	2,377.00	12%
Telephone	522.31	1,497.66	6,200.00	24%
Training	0.00	0.00	600.00	0%
Travel	0.00	23.02	1,000.00	2%
	<u>1,368.7</u>			
<b>Total Services</b>	<b>2</b>	<b>17,696.08</b>	<b>32,720.00</b>	<b>54%</b>
<b>Capital Outlay</b>				
Sidewalk repairs	0.00	0.00	10,000.00	0%
	<u>0.00</u>	<u>0.00</u>	<u>10,000.00</u>	<u>0%</u>
<b>Total Capital Outlay</b>	<b>0.00</b>	<b>0.00</b>	<b>10,000.00</b>	<b>0%</b>
	<u>49,944.</u>			
<b>Total General Government</b>	<b>34</b>	<b>80,033.95</b>	<b>308,073.00</b>	<b>26%</b>
<b>Parks &amp; Recreation</b>				
<b>Parks/Rec. Supplies &amp; Materials</b>				

Flags	0.00	0.00	2,000.00	0%
Janitorial /Cleaning Supplies	0.00	0.00	250.00	0%
Food/Provisions - events	0.00	320.00	3,000.00	11%
Pool Supplies	0.00	0.00	2,600.00	0%
<b>Total Parks/Rec. Supplies &amp; Materials</b>	0.00	320.00	7,850.00	4%
<b>Parks/Rec Services</b>				
	2,877.5			
Pool management fee	0	11,771.50	46,000.00	26%
Pool Operations	62.00	62.00	6,100.00	1%
Comm. center maintenance	615.60	1,007.60	8,150.00	12%
Seasonal Decorations	0.00	0.00	15,000.00	0%
Events Services	0.00	0.00	1,750.00	0%
Water/Sewer	0.00	365.39	7,000.00	5%
Natural Gas	24.28	55.52	750.00	7%
	3,579.3			
<b>Total Parks/Rec Services</b>	8	13,262.01	84,750.00	16%
<b>Maintenance of Common Areas</b>				
	12,967.			
Landscaping	96	25,935.92	155,616.00	17%
	1,055.0			
Park maintenance	0	2,973.98	57,200.00	5%
	1,381.5			
Pond maintenance	0	2,763.00	19,600.00	14%
Electric Maintenance	0.00	0.00	8,500.00	0%
Repairs of Common Areas	0.00	0.00	2,000.00	0%
<b>Total Maintenance of Common Areas</b>	15,404.			
	46	31,672.90	242,916.00	13%
<b>Parks/Rec Capital Outlay</b>				
Reserve for Tennis Court	0.00	0.00	10,000.00	0%
Reserve for Playground	0.00	0.00	5,000.00	0%
Pool Lighting	940.00	940.00	940.00	100%
Benches, Tables etc.	0.00	0.00	2,000.00	0%
<b>Total Parks/Rec Capital Outlay</b>	940.00	940.00	17,940.00	5%
	19,923.			
<b>Total Parks &amp; Recreation</b>	84	46,194.91	353,456.00	13%
<b>Public Services/Safety</b>				
	9,238.8			
Electric bills	5	18,385.45	116,800.00	16%
Street Signs	0.00	138.00	7,500.00	2%
	16,556.			
Waste Collection	68	16,556.68	199,740.00	8%
Law enforcement	0.00	50,570.49	202,282.00	25%
	25,795.			
<b>Total Public Services/Safety</b>	53	85,650.62	526,322.00	16%
<b>Total</b>	95,663.	211,879.4	1,187,851.	
<b>Expense</b>	71	8	00	18%
	-			
<b>Net Excess of Rev. over Exp.</b>	41,163.	149,335.1		
<b>Powell</b>	41	6	0.00	100%
<b>Bill</b>				
<b>PB</b>				
<b>Income</b>				

Interest - Powell Funds	0.00	126.18	1,000.00	13%
Powell Bill Revenue	<u>0.00</u>	<u>0.00</u>	<u>90,270.00</u>	<u>0%</u>
Total PB Income	0.00	126.18	91,270.00	0%
PB Expense				
Street Exp. - Powell Bill	1,500.0			
	<u>0</u>	<u>1,868.05</u>	<u>91,270.00</u>	<u>2%</u>
Total PB Expense	1,500.0			
	<u>0</u>	<u>1,868.05</u>	<u>91,270.00</u>	<u>2%</u>
Net Powell Bill	1,500.0			
	<u>0</u>	<u>-1,741.87</u>	<u>0.00</u>	<u>100%</u>
	-	-		
	<u>42,663.</u>	<u>151,077.0</u>		
Net Excess of Rev. over Exp.	<u>41</u>	<u>3</u>	<u>0.00</u>	<u>100%</u>

**EMAIL HOST:** Mayor David Cleveland shared that the Village of Lake Park received a letter from Spectrum on July 27<sup>th</sup> stating that they are discontinuing their Hosted Exchange Advanced Services Platform, which houses our business email account on October 1<sup>st</sup>. Hostway, the new provider, is going to charge \$3.99 per email address per month to archive the Village emails.

**PARKS AND RECREATION:** Mayor David Cleveland shared that P&R approved \$1,000 for repairs to the eight areas where trees have been removed. P&R also approved \$975 for fall tree and shrub plantings and \$850 to remove trees and shrubs in front of Lake Charles Pier. The playgrounds opened per the Governor's EO 163 at 5 pm on Friday, September 4<sup>th</sup>.

The wading pool pump went out and had to be replaced - \$1,200. Joe Scaldara made the motion to approve the purchase of the wading pool pump. Bruce Barton seconded the motion. Vote – Unanimous.

The Red Cross Blood Drive is Saturday, September 12<sup>th</sup> at the Community Center.

**PUBLIC SERVICES (Street, Waste Collection & Lighting):** Bruce Barton shared that the homeowner on Courtland is not in a position to address the overgrown Lelands and is very concerned that if the trees are pruned, the pruning will kill the trees. The homeowner does not have any plans to do anything in regards to the trees. There is also another area on Arthur Street that needs to be addressed. Council decided to go into Closed Session for legal advice. Bruce Barton made the motion to go into Closed Session. James Record seconded the motion. Vote – Unanimous.

Council came out of Closed Session and Mayor David Cleveland shared that no action was taken in Closed Session.

Bruce Barton also shared that concerns have been expressed about speeding on Creft Circle between Lake Park Road and Balsam Street. Council decided to put the radar sign on Creft Circle to gather data and revisit the concern next month.

James Record shared that there was a yard waste issue on Saint Joseph and it has been resolved.



Joe Scaldara shared that the lighting problem around the Kite Girl Monument has been repaired. The lighting issue at Founder's Park is not the bulbs. Baucom Electric will look into the electrical problem. The clocks on the clock tower have lighting issues and we need to see if the work is still under warranty.

**COMMUNICATION INFORMATION:** Mayor David Cleveland shared that we have three quotes to live stream future Council Meetings.

- a. Co-DA Audio/Video - \$20,390.
- b. SKC Video only - \$6,650.
- c. Meeting Owl Pro - \$999.

Mayor David Cleveland shared that Jeremy Russell's company is planning to purchase a Meeting Owl Pro and suggested that Council may want to table the discussion until we have some feedback.

Pam Jack shared items to be included in the October newsletter: Voting, Recycling, Sidewalks and the Sign Ordinance.

**COUNCIL COMMENTS:** Joe Scaldara shared that he plans to lower the flags to half-staff Thursday evening at sunset.

Mayor David Cleveland shared that the Village had received the following email from Roger Griffin.

Questions:

Does the Village of Lake Park have exclusive control and management and responsibility of the streets in the VOLP as NC G.S. § 136-51 states? Does Lake Park HOA retain any control over the streets of VOLP contrary to NC G.S. § 136-51? If so, what powers does Lake Park HOA have over the public roads in the Village of Lake Park and where/how are they listed or registered?

§ 136-51. Maintenance of county public roads vested in Department of Transportation. From and after July 1, 1931, the exclusive control and management and responsibility for all public roads in the several counties shall be vested in the Department of Transportation as hereinafter provided, and all county, district, and township highway or road commissioners, by whatever name designated, and whether created under public, public-local, or private acts, shall be abolished:

Provided, further, that in order to fully carry out the provisions of this section the respective boards of county commissioners are vested with full authority to prosecute all suitable legal actions.

**ADJOURN:** Joe Scaldara made the motion to adjourn. James Record seconded the motion.  
Vote – Unanimous.

Respectfully submitted,

  
Mayor David Cleveland

  
Village Administrator, Cheri Clark

